



# TRUCKS READY FOR LONG HAULS TO U.S.

Cross-border pilot program to launch from Mexico on Friday, but opposition persists



In Otay Mesa, Jorge Villanueva inspects his truck operated by Tijuana-based Grupo Behr, which is seeking to take part in a program allowing Mexican truckers to go deep into the U.S. NELVIN C. CEPEDA • U-T

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A pilot program that allows Mexican long-haul truckers to deliver cargo across the United States will start Friday despite critics who say it will lead to a loss of U.S. jobs. The years-long debate shows no signs of

dying down, as opponents work to shut down the new system in federal court and Congress.

The first approved Mexican carrier, a company based in the state of Nuevo Leon across the Texas border, is preparing for its initial cross-border delivery under the U.S. Department of Transportation program, which aims to meet

a mandate stipulated under the 1994 North American Free Trade Agreement.

The Federal Motor Carrier Safety Administration, which is administering the program, in September gave pre-clearance to

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Transportes Olimpico and the Tijuana-based Grupo Behr as the inaugural participants. But Grupo Behr's permit has been delayed while federal officials review objections raised by opponents of the program.

Supporters of cross-border trucking said it allows for direct deliveries between the United States and Mexico, benefiting

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# TRUCKS U.S.-Mexico trucking component of NAFTA has long been a source of contention

consumers in both nations by lowering transportation costs. Under the current rules, Mexican truckers can enter the United States but are limited to a narrow border commercial zone — generally 25 miles north — where their cargo is unloaded and transferred to U.S. carriers.

The pilot program comes after repeated political battles, lawsuits and other tensions stemming from the U.S.-Mexico trucking component of NAFTA, including a Wednesday rally and news conference held in Otay Mesa by the Teamsters union, an independent truckers group and two San Diego-area congressmen: Democrat Bob Filner and Republican Duncan Hunter.

It's been more than 2½ years since Congress cut funding for a similar pilot program, a move that prompted the Mexican government to retaliate by imposing tariffs on \$2.3 billion in American goods and agricultural products.

The latest program follows an agreement reached in March between President Barack Obama and Mexican President Felipe Calderón in which Mexico agreed to lift tariffs on products that include U.S. washing machines, refrigerators, apples, grapes, potatoes, pork and Christmas trees.

"This is a big win for American farmers and consumers, who will no longer have to struggle with onerous tariffs imposed by Mexico," Transportation Secretary Ray LaHood said in a Friday statement that announced final approval for Transportes Olympic.

A statement from the Mexican Embassy in Washington said the ability to provide door-to-door delivery services for international cargo "represents a step toward a more modern, agile, secure and efficient border" and "is vital for North America's competitiveness and for job creation on both sides of the border."

In 2009, a U.S. Chamber of Commerce study found



**In Otay Mesa, Jorge Villanueva looks over his truck, which is operated by Grupo Behr, whose owners say accusations of lax safety standards are unfounded.**

that failure to implement the NAFTA trucking provisions and Mexico's retaliatory tariffs put at risk more than 25,000 U.S. jobs. Giving access to Mexican long-haul truckers "makes our border much more efficient and reduces pollution at the border" because vehicles are not forced to stop to load and unload, said Patrick Kilbride, the chamber's senior director for the Americas.

Detractors of the pilot program gathered Wednesday afternoon at the Otay Mesa border crossing, vowing to continue their fight.

Several dozen Teamsters members, many carrying signs that read "NAFTA Kills," applauded speeches by Teamsters President James P. Hoffa, Todd Spen-

cer of the Owner-Operator Independent Drivers Association and the two congressmen.

"The opening of the border to trucks from Mexico will kill American jobs, it will kill the American environment and unfortunately, we may see American lives lost also," Filner said.

Hoffa brought up similar points. "This is a program that is playing Russian roulette with our highway safety in the United States," he said.

They and other critics said Mexican carriers don't meet the same standards as their U.S. counterparts. But supporters of the pilot program said if anything, the U.S. government imposes even more stringent



requirements on Mexican participants.

The rules mandate that Mexican trucks enrolled in the program have a monitoring device to track the vehicles' movements and the drivers' work schedules, including whether they are taking their required breaks.

In July, Hunter introduced legislation in the House that would prohibit U.S. government funds from being used to pay for the monitors. Under the existing arrangement, he said Wednesday, "the U.S. taxpayers are going to have to pay for the onboard GPS recorders. We're subsidizing Mexican business coming across the border."

Last month, the Teamsters and Public Citizen filed a lawsuit in the 9th U.S. Circuit Court of Appeals in San Francisco to stop the pilot project from moving forward. The case is pending.

On Friday, driver Josué Pérez of Transportes Olímpic — based in Apodaca, a suburb of the northern city of Monterrey — is scheduled to carry a 30-foot-high drilling tower from Mexico to a client in Garland, Texas, said the company's transport manager, Guillermo Pérez.

In Tijuana, Grupo Behr's owners said Wednesday that critics' accusations about lax safety standards are unfounded.

"They're accusing us about vehicles that we haven't even enrolled in the program," said Roberto García de León, the company's managing partner. Grupo Behr also participated in the earlier pilot program.

Though the Mexican government has spoken out strongly for implementation of the NAFTA trucking provisions, the latest program has generated mixed feelings among members of Canacar, Mexico's main trucking association.

"I'm not against their opening the border for trucking, but not with a pilot program, not with these new requirements that they keep adding on," said Jorge Arizona, the group's representative in Mexicali.

## Program requirements

Mexican companies that want their trucks to cross into the U.S. must meet various conditions for the pilot program, according to the U.S. Department of Transportation. These include:

- Equipping each truck with an electronic device that monitors its movements and hours of operation.
- Using drivers who read and speak English well enough to understand highway traffic signs, respond to official inquiries and make entries on records required by the Federal Motor Carrier Safety Administration.
- Proving that their drivers are licensed, have acceptable safety records and have passed a designated medical exam.
- Performing appropriate, random testing of employees for drugs, alcohol and other banned substances at facilities that meet U.S. standards.
- Being fully bonded and having all necessary commercial licenses.
- Keeping complete records of accidents, inspections and maintenance, and being able to show them whenever requested.
- Maintaining full records of each driver's travels.
- Meeting all rules concerning maximum daily and weekly work hours.